

151- Affidavit of Service of Summons or Subpoena: Personal or Alternative
Methods: Corp. or Ind.; Military Service, 10 pt. type, 1-95Blumberg
Law ProductsCOURT UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

COUNTY OF

VERIFIED IDENTITY PASS, INC., DBA CLEAR REGISTERED
TRAVELER

Plaintiff(s)

against

FRED FISCHER, SAFLINK CORPORATION AND FLO CORPORATION

Defendant(s)

Index No. 07 CIV 6538

AFFIDAVIT OF
SERVICE OF SUMMONS
(AND COMPLAINT)

SEE ATTACHED RIDER

NORTH CAROLINA

STATE OF NEW YORK, COUNTY OF DAVIE
party herein, is over 18 years of age and resides at

MOCKSVILLE, NORTH CAROLINA

That on 7/21/07

at 7:23A M., at 6105 OLD ORCHARD RD., KERNERSVILLE, NC 27284

deponent served the within ~~summons and complaint~~
SEE ATTACHED RIDER

FRED FISCHER

defendant therein named,

- INDIVIDUAL
1. ☒ by delivering a true copy of each to said defendant personally; deponent knew the person so served to be the person described as said defendant therein.
- CORPORATION
2. ☐ a corporation, by delivering thereat a true copy of each to personally, deponent knew said corporation so served to be the corporation described in said summons as said defendant and knew said individual to be thereof.
- SUITABLE AGE PERSON
3. ☐ by delivering thereat a true copy of each to a person of suitable age and discretion. Said premises is defendant's—actual place of business—dwelling place—usual place of abode—within the state.
- AFFIXING TO DOOR, ETC.
4. ☐ by affixing a true copy of each to the door of said premises, which is defendant's—actual place of business—dwelling place—usual place of abode—within the state. Deponent was unable, with due diligence to find defendant or a person of suitable age and discretion thereat, having called there

MAILING TO
RESIDENCE
USE WITH 3 OR 4EA. ☐MAILING TO
BUSINESS
USE WITH 3 OR 4AB. ☐DESCRIPTION
USE WITH
1, 2, OR 3
☒

Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a postpaid envelope properly addressed to defendant at defendant's last known residence, at and deposited

said envelope in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State.

Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a first class post paid envelope properly addressed to defendant at defendant's actual place of business, at

in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State. The envelope bore the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an attorney or concerned an action against the defendant.

| | | | | | | |
|--|--|---|---|--|---|--|
| <input checked="" type="checkbox"/> Male | <input checked="" type="checkbox"/> White Skin | <input type="checkbox"/> Black Hair | <input type="checkbox"/> White Hair | <input type="checkbox"/> 14-20 Yrs. | <input type="checkbox"/> Under 5' | <input type="checkbox"/> Under 100 Lbs. |
| <input type="checkbox"/> Female | <input type="checkbox"/> Black Skin | <input type="checkbox"/> Brown Hair | <input type="checkbox"/> Balding | <input type="checkbox"/> 21-35 Yrs. | <input type="checkbox"/> 5'0"-5'3" | <input type="checkbox"/> 100-130 Lbs. |
| | <input type="checkbox"/> Yellow Skin | <input type="checkbox"/> Blonde Hair | <input type="checkbox"/> Mustache | <input type="checkbox"/> 36-50 Yrs. | <input type="checkbox"/> 5'4"-5'8" | <input type="checkbox"/> 131-160 Lbs. |
| | <input type="checkbox"/> Brown Skin | <input checked="" type="checkbox"/> Gray Hair | <input type="checkbox"/> Beard | <input checked="" type="checkbox"/> 51-65 Yrs. | <input checked="" type="checkbox"/> 5'9"-6'0" | <input checked="" type="checkbox"/> 161-200 Lbs. |
| | <input type="checkbox"/> Red Skin | <input type="checkbox"/> Red Hair | <input checked="" type="checkbox"/> Glasses | <input type="checkbox"/> Over 65 Yrs. | <input type="checkbox"/> Over 6' | <input type="checkbox"/> Over 200 Lbs. |

Other identifying features:

USE IN
NYC CIVIL CT.☐

The words "CONSUMER CREDIT TRANSACTION" were prominently displayed at the top of the summons(es) and the additional legend was printed in not less than 12 point bold upper case type on the summons(es) pursuant to 22 NYCRR §208.6(d) and (f).

MILITARY
SERVICE☒

I asked the person spoken to whether recipient was in active military service of the United States or of the State of New York in any capacity whatever and received a negative reply. Recipient wore ordinary civilian clothes and no military uniform. The source of my information and the grounds of my belief are the conversations and observations above narrated. Upon information and belief I aver that the recipient is not in military service of New York State or of the United States as that term is defined in either the State or in the Federal statutes.

Sworn to before me on

7-23-2007

Josephine Thomas Anderson
JOSEPHINE THOMAS ANDERSON
NOTARY PUBLIC
DAVIE COUNTY, NORTH CAROLINA
My Commission Expires 10/18/2011

Kathy Anderson
KATHY ANDERSON
License No. _____

INSTRUCTIONS: Check appropriate boxes and fill in blanks. Delete inappropriate italicized language and military service allegation if not applicable.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X Case No. 07 CIV 6538
VERIFIED IDENTITY PASS, INC., DBA CLEAR
REGISTERED TRAVELER

Plaintiff,

- against -

RIDER TO AFFIDAVIT
OF SERVICE

FRED FISCHER, SAFLINK CORPORATION and
FLO CORPORATION

Defendants.

-----X

List of Documents served:

- Summons In A Civil Action;
- Complaint;
- Memorandum Of Las In Support Of Verified Identity Pass, Inc.'s Request For A Temporary Restraining Order And Preliminary Injunction;
- Order To Show Cause For Preliminary Injunction And Temporary Restraining Order;
- Individual Practices Of Judge John G. Koeltl;
- Affidavit Of Steven Brill In Support Of Temporary Restraining Order And Preliminary Injunction;
- Affidavit Of Allison Beer In Support Of Temporary Restraining Order And Preliminary Injunction; and
- Affidavit Of Alan E. Brill In Support Of Temporary Restraining Order And Preliminary Injunction.